

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,
v.
ANTHONY BOSLEY,
Defendant.

NO. CR-05-0166-LRS-2

**ORDER DENYING MOTION FOR
RECONSIDERATION**

On May 17, 2010, Defendant Anthony Bosley filed, *pro se*, a letter which this Court construes as a timely motion for reconsideration of the Order Denying Motion for Reduction of Sentence Re Crack Cocaine Offense (Ct. Rec. 106) entered on May 10, 2010. Defendant did not note his motion pursuant to local rules.

DISCUSSION

Mr. Bosley urges the Court to reconsider its decision based on "bills that are before the United States Congress." (Ct. Rec. 107). Motions for reconsideration serve a limited function. Under the Federal Rules of Civil Procedure, motions for reconsideration may be made pursuant to Rule 59(e). The major grounds for granting a motion to reconsider a judgment are: (1) intervening change of controlling law; (2) availability of new evidence; and (3) the need to correct clear error or

1 prevent manifest injustice. School District No. 1J, Multnomah County
2 Oregon v. Acands, Inc., 5 F.3d 1255, 1263 (9th Cir.1993); Duarte v.
3 Bardales, 526 F.3d 563, 567 (9th Cir. 2008). Mr. Bosley does not contend
4 that there is newly discovered evidence or that controlling law has
5 changed. Instead, he contends that future legislation could change "the
6 potential outcome on cocaine base [crack] cases." (Ct. Rec. 107).

7 **IT IS HEREBY ORDERED that** Defendant's motion for reconsideration,
8 Ct. Rec. 107, filed May 17, 2010, is respectfully **DENIED**.

9 **IT IS SO ORDERED.** The District Court Executive is directed to enter
10 this order and to provide copies to counsel and Defendant Bosley.

11 **DATED** this 23rd day of July, 2010.

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13 *s/Lonny R. Suko*

14 LONNY R. SUKO
15 Chief United States District Judge
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